

# **EXHIBIT 1**

**John Seaman**

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**From:** Arth, Gerald [GArth@foxrothschild.com]  
**Sent:** Tuesday, June 13, 2006 5:21 PM  
**To:** Herbert C Ross  
**Cc:** John Seaman; Garber, Cheryl; Lori Marks-Esterman; SBellew@cozen.com  
**Subject:** RE: Koken, etc. v. GPC International

Herb:

Ordinarily, and as a simple matter of professional courtesy, I would not hesitate to agree to an extension. In this instance, however, an extension of the case deadlines would do nothing but prejudice my client's interests while permitting GPC to pursue discovery to support untenable defenses. Accordingly, I cannot consent.

Jerry

-----Original Message-----

From: Herbert C Ross [mailto:HRoss@olshanlaw.com]  
Sent: Monday, June 12, 2006 1:20 PM  
To: SBellew@cozen.com; Arth, Gerald  
Cc: jseaman@bmf-law.com; Garber, Cheryl; Lori Marks-Esterman  
Subject: Koken, etc. v. GPC International

Jerry and Sean,

We ask that you each stipulate and agree to the following adjourned schedule for this action:

1. All fact discovery shall be commenced in time to be completed by August 15, 2006
2. All expert discovery shall be commenced in time to be completed by October 31, 2006
3. Reports from retained experts on issues for which any party has the burden of proof due by September 8, 2006
4. Rebuttal expert reports due by October 6, 2006
5. Any motion in limine to be filed on or before November 7, 2006, and any response thereto to be filed on or before November 14, 2006
6. pretrial conference with the Court on November 21, 2006
7. Trial to commence on December 4, 2006

Please give me your response to our request herein ASAP.

Herb Ross

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Thank you.